

## Chapter 29

### MANUFACTURED HOMES AND RECREATIONAL VEHICLES\*

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#### ARTICLE I. IN GENERAL

##### Sec. 29-1. Definitions.

For the purpose of this chapter, the following words, phrases, definitions and their derivatives shall have the meanings ascribed to them unless the context in which they are used clearly indicates a different meaning:

**Accessory structure.** Any structural addition to a manufactured home including, without limitation, awnings, cabanas, Florida rooms, porches, ramadas, storage cabinets and similar appurtenant structures.

**Approved.** An approval by the building official which shall be granted if the building official finds that the item is suitable for its intended purpose and is not dangerous or detrimental to life, safety or welfare of people or property except as otherwise provided in this chapter. Such finding shall be based on the results of investigation or tests

conducted by him, accepted principles of safety, or the results of tests by reliable national authorities, technical or scientific organizations.

**Camping trailer.** A portable unit mounted on wheels and constructed of collapsible partial side walls which fold for towing by another vehicle and unfold to provide temporary living quarters for recreational, camping or trailer use.

**Dependant.** Not self-contained and not having a water-flush toilet, lavatory and shower connected to outside utilities.

**Finalized.** With respect to any permit, the term finalized shall mean that all work authorized by the permit has been completed in due compliance with law and the building official's copy of the permit has been so noted.

**Manufactured home.** Has the meaning ascribed in Texas Revised Civil Statutes article 5221f, § 3(17), as amended.

**\*Editor's note**—Ord. No. 94-1268, § 2, adopted Nov. 22, 1994, substantially amended this chapter to read as herein set forth, and changed the name of this chapter from "mobile homes and recreational vehicles" to "manufactured homes and recreational vehicles."

**Cross references**—Buildings generally, Ch. 10; housing moving, § 10-48 et seq.; modular housing, § 10-231 et seq.; flood hazard areas, Ch. 19; manufactured homes in flood hazard areas generally, § 19-21 et seq.; planning and development generally, Ch. 33; subdivisions, Chs. 41, 42; swimming pools, Ch. 43.

**Manufactured home park.** A contiguous development of land that has been planned and improved for the placement of manufactured homes. (See article III for requirements.)

**Manufactured home subdivision.** A duly recorded subdivision for manufactured homes approved by the city planning commission in accordance with this Code and all other applicable laws, rules and regulations. (See article IV for requirements.)

**Motor home.** A vehicular unit designed to provide temporary living quarters for recreational, camping or travel use built on or permanently attached to a self-propelled motor vehicle chassis or on a chassis cab or van which is an integral part of the completed vehicle.

**Occupied area.** That area of an individual manufactured home space or lot which has been covered by a manufactured home and its accessory structures.

**Premise.** Any lot or tract of land and all adjacent land which is directly or indirectly under the control of the same person, together with all improvements thereon.

**Recreational vehicle.** Has the meaning ascribed in Title 24, U.S. Code of Federal Regulations, Section 3282.8(g), as amended. Without limitation, it includes a camping trailer, motor home, travel trailer or truck camper to the extent that the vehicle or device meets the criteria of 24 C.F.R. § 3282.8(g).

**Recreational vehicle park.** A contiguous development of land which has been planned and improved for the placement of recreational vehicles.

**Replaced.** Means any relocation of a manufactured home whether upon the same lot or tract of land or from one lot or tract of land to another.

**Sales lot.** Means any premises used by a retailer for showing manufactured homes to potential customers which is operated by the holder of a valid manufactured housing retailer's certificate issued pursuant to Article 5221f of Vernon's Texas Civil Statutes, or any tract of land used for showing recreational vehicles to potential customers excepting premises used and owned by an individual showing a recreational vehicle which he owns and has used when such individual has not

shown or sold more than two recreational vehicles to potential customers in any twelve-month period.

**Self-contained.** Having a water-flush toilet, lavatory, tub or shower and kitchen sink, all of which are connected to water storage and sewage holding tanks located within the recreational vehicle and which facilities are also capable of being connected to outside utilities. Further, a recreational vehicle shall not be self-contained unless all plumbing fixtures and electrical outlets are both capable of being operated independent of connections to sewer, water and electrical systems and capable of being connected to outside utilities.

**Travel trailer.** A vehicular, portable structure built on a permanent chassis, designed by the manufacturer to be towed by another vehicle and used as a temporary dwelling, and which meets the definition of "temporary living quarters" or "permanent living quarters" as applicable to its use.

- (a) **Temporary living quarters.** A travel trailer intended to be used for recreational, camping or travel use and of such size and weight so as not to require a special highway movement permit and which complies with the standards of NFPA 501-C, dated 1982, or the ANSI standards for the construction of travel trailers which were in effect at the time the travel trailer was constructed.
- (b) **Permanent living quarters.** A travel trailer which may be occupied indefinitely (without limit as to the length of time it is occupied) which:
  - (1) In the traveling mode does not require a special highway permit;
  - (2) Is less than eight feet in width;
  - (3) Is less than 40 feet in length exclusive of pulling or tow equipment;
  - (4) Has a minimum floor area of 120 square feet;
  - (5) When placed on location, has all the amenities, facilities and capabilities of a manufactured home; and
  - (6) Complies with the standards of NFPA 501-C, dated 1982, or the ANSI stan-

dards for the construction of travel trailers which were in effect at the time the travel trailer was constructed.

*Truck camper.* A portable unit constructed to provide temporary living quarters for recreational, travel, or camping use, consisting of a roof, floor, and sides designed to be loaded onto and unloaded from the bed of a truck.

(Ord. No. 85-498, § 1, 4-10-85; Ord. No. 90-635, §§ 57, 58, 5-23-90; Ord. No. 94-1268, §§ 3—5, 11-22-94; Ord. No. 95-104, § 1, 1-25-95)

#### **Sec. 29-2. Building official's authority.**

Except as otherwise specified in this chapter, the building official shall be the permit and license issuance officer for all permits and licenses required pursuant to this chapter. He shall prescribe forms therefor including all information reasonably and necessary required for his enforcement of the provisions of this chapter. He shall also be authorized to perform all inspections necessary for the enforcement of this chapter. He shall also have authority to establish reasonable and necessary administrative rules and regulations relating to the performance of his duties under this chapter such as the place where license and permit applications will be received and the times when inspections will be made.

(Ord. No. 85-498, § 1, 4-10-85; Ord. No. 90-635, § 57, 5-23-90)

#### **Sec. 29-3. Notices and orders.**

The building official shall issue all necessary notices or orders to remove or abate illegal or unsafe conditions and to ensure compliance with all the requirements of this chapter for the safety, health and general welfare of the public.

(Ord. No. 85-498, § 1, 4-10-85; Ord. No. 90-635, § 57, 5-23-90)

#### **Sec. 29-4. Compliance.**

When any person shall have been notified by a written notice issued by the city that work being done by him as owner, agent, or in any other capacity, is in violation of the provisions of this chapter, it shall be his duty to abate the violation within the time specified in the written notice. Such time shall not exceed ten days and the

building official may provide for immediate compliance when a serious threat to life or substantial damage to property may exist.

(Ord. No. 85-498, § 1, 4-10-85; Ord. No. 90-635, § 57, 5-23-90)

#### **Sec. 29-5. Penalty.**

Any person who shall violate any of the provisions of this chapter, upon conviction, shall be fined not less than \$100.00 nor more than \$500.00, and each day's violation shall constitute a separate offense.

(Ord. No. 85-498, § 1, 4-10-85; Ord. No. 92-1449, § 49, 11-4-92)

#### **Sec. 29-6. Deed restriction affidavit.**

(a) In addition to any other applicable requirements specified therefor, each person making application pursuant to this chapter for a hardship permit or a manufactured home park development permit or for a placement permit appertaining to a manufactured home which is to be situated outside of the confines of a manufactured home park shall furnish to the building official an affidavit setting forth that the applicant is familiar with the title to the real property to which the requested permit appertains and that the applicant's intended use thereof will not violate any valid and applicable deed restriction or covenant running with the land. The building official may not issue the requested permit unless such affidavit has been duly submitted.

(b) All permits, licenses and approvals for occupancy issued pursuant to this chapter are hereby made expressly subject to applicable deed restrictions and covenants running with the land to which they appertain and no such permit, license or approvals for occupancy shall be construed as authorizing any violation thereof.

(Ord. No. 85-498, § 1, 4-10-85; Ord. No. 90-635, § 57, 5-23-90)

#### **Secs. 29-7—29-14. Reserved.**

## ARTICLE II. REQUIREMENTS CONCERNING MANUFACTURED HOMES AND RECREATIONAL VEHICLES

### DIVISION 1. GENERALLY

#### Sec. 29-15. Authorized locations.

(a) Subject to lawful compliance with this Code, a manufactured home may be placed, or permitted to remain within the city, if and only if, it is situated:

- (1) In a manufactured home park which the operator is licensed to operate pursuant to article III of this chapter;
- (2) In a duly platted and recorded manufactured home subdivision that meets all requirements of article IV of this chapter;
- (3) In a manufactured home sales lot;
- (4) Upon a site that the manufactured home has continuously occupied since March 1, 1972, provided that the occupation was lawful on that date, and further provided that the continued occupation thereof does not pose a significant danger to the health or safety of persons within the manufactured home or to others;
- (5) Upon a site that the manufactured home occupied prior to annexation of the site by the city, provided that the manufactured home has continuously occupied the site since the date the site was annexed, and further provided that the continued occupation thereof does not pose a significant danger to the health or safety of persons within the manufactured home or to others;
- (6) Upon a site for which a hardship permit is in effect pursuant to division 2 of this article; or
- (7) Upon a temporary site authorized by the director for disaster assistance organizations used as authorized in section 29-18 of this Code.

Provided that no manufactured home may be situated or permitted to remain in any place in violation of any valid and applicable deed restric-

tion or covenant running with the land, or on any site within Districts of Limitations One and Two as those districts are defined in the Fire Code.

(b) It shall be unlawful for any person to park or place, a manufactured home at any location not authorized by this chapter, or to permit or suffer any manufactured home to remain within the city in any location not authorized pursuant to this chapter.

(c) A recreational vehicle may not be placed on any property except as specifically permitted in this chapter.

(Ord. No. 85-498, § 1, 4-10-85; Ord. No. 01-990, § 2, 10-31-01; Ord. No. 02-399, § 63, 5-15-02)

#### Sec. 29-16. Placement standards.

(a) Placement of manufactured homes and recreational vehicles within manufactured home parks shall be as set forth in article III of this chapter, and as required in paragraph (b) below.

(b) Placement of all other manufactured homes shall be such that the manufactured home is situated not less than 25 feet from any property boundary line abutting upon a public street or highway, not less than ten feet from any private street, not less than five feet from any other property boundary line and not less than ten feet from any other structure.

(Ord. No. 85-498, § 1, 4-10-85)

#### Sec. 29-17. Upkeep, smoke detectors.

(a) All manufactured homes and recreational vehicles, both existing and new, and all parts thereof, shall be maintained in a safe and sanitary condition. All devices or safeguards which are required by this Code or by standards adopted by this Code, or by any other law in a manufactured home or recreational vehicle shall be maintained in good working order.

(b) No person shall occupy a manufactured home, regardless of the age of the vehicle, unless there is installed therein smoke detectors conforming to the Texas Department of Licensing and Regulation, Rules and Requirements for the Construction of HUD Manufactured Homes that are in effect on April 10, 1985; provided, however, if stricter standards for smoke detectors were appli-

cable by law to the construction of a particular manufactured home, no person shall occupy that manufactured home, unless the smoke detectors required in the construction of that manufactured home are installed.

No person shall occupy a recreational vehicle, regardless of the age of the vehicle, unless there is installed therein at least one smoke detector meeting the requirements of NFPA 501-C, paragraph 3.3, dated 1982.

(c) All smoke detectors in a manufactured home or a recreational vehicle shall be maintained so that they are in good working order at all times. (Ord. No. 85-498, § 1, 4-10-85; Ord. No. 94-1268, § 6, 11-22-94)

**Sec. 29-18. Temporary accommodations for volunteer disaster relief workers.**

(a) The director of public works and engineering ("director") may authorize the temporary placement and use of manufactured homes or recreational vehicles or both as housing and operational facilities for volunteer workers of not for profit and governmental agencies who are engaged in rendering disaster relief assistance to residents of the city, subject to the following requirements:

- (1) The placement and use may not violate any valid and applicable deed restrictions or covenants running with the land.
- (2) The placement may not violate any requirement of chapter 19 of this Code.
- (3) The placement shall be limited to relief efforts that are related to events for which a proclamation of a local state of disaster has been declared by officials of the city.
- (4) The manufactured homes or recreational vehicles shall be placed for such periods of time as the director determines are reasonably required in order for the relief efforts to be performed, provided that no authorization may extend beyond 30 months from the date that the disaster event commenced.

(b) To the extent that any temporary or portable structures are requested to be utilized in addition to manufactured homes and recreational vehicles, the director may authorize their temporary use subject to the foregoing criteria and a determination that they pose no material threat to the health, safety, and welfare of the public by virtue of their temporary placement and occupancy for the use intended. In making that determination, the director shall be guided by the Construction Code but shall not be obligated to demand strict compliance therewith, if he determines that the structures are safe and suitable for the purposes intended.

(c) The director is authorized to issue rules and regulations for the implementation of this section. (Ord. No. 01-990, § 3, 10-31-01; Ord. No. 02-399, § 64, 5-15-02; Ord. No. 04-1015, § 15, 9-27-04)

**Sec. 29-19. Reserved.**

**DIVISION 2. HARDSHIP PERMITS**

**Sec. 29-20. Grounds.**

(a) Upon application therefor the building official may issue a hardship permit to place a manufactured home on a lot, tract or parcel of land located outside a manufactured home park, manufactured home sales lot or manufactured home subdivision because of one or more of the following grounds when it is found that there would be serious hardship if a manufactured home could not be placed on the site and there is no permanent housing available that could fulfill the need. The grounds for the granting of such a permit are:

- (1) Illness in the family or of relatives of the applicant.
- (2) Temporary economic hardship that would only be relieved by temporary use of a manufactured home outside a manufactured home park or subdivision.
- (3) To locate the manufactured home near the applicant's place of business where there is a serious need for security.

(b) The applicant shall have the burden of showing the need for a hardship permit by clear and convincing evidence.

(c) The permit shall be granted for the period of time necessary to relieve the hardship which would result if no permit were granted; provided, however, such permit shall not be valid for more than one year and the building official shall have no authority to grant any extension of a hardship permit.

(d) No rent may be charged for the use of a manufactured home placed outside of a manufactured home park or manufactured home subdivision pursuant to a hardship permit.  
(Ord. No. 85-498, § 1, 4-10-85; Ord. No. 90-635, § 57, 5-23-90)

#### **Sec. 29-21. Appeal to general appeals board.**

Any person desiring to appeal from a denial by the building official of a request for the issuance of a hardship permit may appeal the denial to the general appeals board created under the Building Code by filing a written notice of appeal with the building official within ten days after notice is given that the hardship permit has been denied. The general appeals board may require applicants for hardship permits to submit such documents as the board deems relevant to support a request for a hardship permit and may dismiss any appeal from a decision of the building official denying a permit if the applicant has not submitted the documentation required by the board.  
(Ord. No. 85-498, § 1, 4-10-85; Ord. No. 90-635, § 57, 5-23-90; Ord. No. 90-1050, § 1, 8-29-90; Ord. No. 02-399, § 65, 5-15-02)

#### **Sec. 29-22. Appeal to city council.**

If the denial of the hardship permit is upheld by the general appeals board, then the applicant may appeal to city council as provided in the Building Code.  
(Ord. No. 85-498, § 1, 4-10-85; Ord. No. 90-1050, § 1, 8-29-90; Ord. No. 02-399, § 65, 5-15-02)

#### **Sec. 29-23. Extension.**

The general appeals board shall have authority to extend a hardship permit, from time to time, for additional periods not to exceed one year upon the following conditions:

- (1) When application is made for the extension of a hardship permit, notice shall be given by mail or by such other means as the board may direct to occupants of dwellings on abutting property if any such residence or habitation for human beings is located within 25 feet of the property line of the lot upon which the applicant desires to continue maintaining a manufactured home under a hardship permit. The applicant shall include the names and addresses of such persons, if any, in his application.
- (2) The burden of proof shall be upon the applicant to show by clear, cogent and convincing evidence that his circumstances meet one or more of the grounds specified in section 29-20 of this Code and thereby qualify him to continue maintaining a manufactured home on his premises under authority of a hardship permit.
- (3) Occupants of dwellings on abutting property to whom notice has been given may appear as parties at the hearing and give evidence controverting that given by the applicant. In addition, the board shall hear and consider evidence offered by such occupants relating to any conditions alleged to adversely affect their health, safety or welfare from the placement and occupancy of the manufactured home. If the board determines that any person other than an occupant of abutting property has a substantial interest in the matter, such person may be made a party and be permitted to appear and testify as an intervenor. The action of the board in designating or declining to designate a person as an intervenor shall be final and may not be appealed to the city council.
- (4) Notice of the decision of the board shall be given in writing by mail or by such other means as the board may direct to the

applicant, to any abutting property owner who appeared at the hearing and to any designated intervenor. Each party shall have the right to appeal the decision of the board to the city council by complying with the appeal procedure of the Building Code.

- (5) The building official shall act as the clerk for the board in proceedings under this section. Applications and other documents relating to such proceedings shall be filed with the building official. The board may, in its discretion and when it finds that justice will be served thereby, grant a temporary extension of a hardship permit pending the outcome of administrative proceedings under this section, provided that the applicant has filed his application for the extension at least 30 days prior to the expiration of his then-current permit or extension period, and further provided that no delays in the proceedings are attributable to actions of the applicant.

(Ord. No. 85-498, § 1, 4-10-85; Ord. No. 90-635, § 57, 5-23-90; Ord. No. 90-1050, § 1, 8-29-90; Ord. No. 02-399, § 66, 5-15-02)

#### **Sec. 29-24. Fee.**

A hardship permit shall not be issued or extended until the fee as specified in section 29-160 has been paid for the term of the permit or extension period.

(Ord. No. 85-498, § 1, 4-10-85)

#### **Sec. 29-25. Revocation.**

(a) Pursuant to this section, a hardship permit may be revoked upon the following grounds:

- (1) That any material fact set forth in the application therefor was untrue or incorrect; or
- (2) That the facts relative to the use and occupancy of the manufactured home have changed to the extent that the grounds upon which the issuance of the hardship permit was based are no longer operative.

(b) Upon information that grounds for revocation may exist, the building official shall investigate the facts. If he determines that a reasonable probability of grounds for revocation exists, he shall schedule a hearing thereon by the general appeals board. Written notice of the date, time and place thereof shall be mailed to the permittee by certified United States mail, postage prepaid, return receipt requested, addressed to the address set forth in the application. Such notice shall be mailed at least ten days prior to the date of the hearing, shall set forth the grounds upon which revocation will be sought in sufficient detail to advise the hardship permittee thereof and shall advise the hardship permittee of his right to be present in person and through counsel to present evidence and cross examine witnesses appearing at such hearing.

(c) The burden of proof at such hearing shall be upon the building official. If the general appeals board determines that grounds for revocation exist, it shall order the hardship permit revoked by written decision. A copy thereof shall be furnished to the hardship permittee, and appeal thereof may be made to the city council by complying with the appeal procedure Building Code.

(Ord. No. 85-498, § 1, 4-10-85; Ord. No. 90-635, § 57, 5-23-90; Ord. No. 90-1050, § 2, 8-29-90; Ord. No. 02-399, § 67, 5-15-02)

#### **Secs. 29-26—29-34. Reserved.**

### **DIVISION 3. MANUFACTURED HOME COMPLIANCE**

#### **Sec. 29-35. Finalized placement permit required for occupancy.**

It shall be unlawful for any person to use or occupy in whole or in part any manufactured home which has been placed or replaced within the city until and unless the placement permit therefor has been issued and finalized.

(Ord. No. 85-498, § 1, 4-10-85)

#### **Sec. 29-36. Finalized placement permit required prior to utility service.**

Except as otherwise specifically provided in this chapter, it shall be unlawful for any person to

make use of any utility service, or to furnish any utility service to any manufactured home which has been placed or replaced within the city until and unless the placement permit therefor has been issued and finalized.

(Ord. No. 85-498, § 1, 4-10-85)

#### **Sec. 29-37. Utility disconnection.**

(a) When any utility service to a manufactured home is discontinued it shall be the duty of the utility company to disconnect, lock, seal or otherwise prevent the unauthorized connection or reconnection of such utility service. In the event that the service is provided on a submetering or other basis whereby the utility company's billing is not made directly to the manufactured home resident, then such duty shall rest upon the person contracting for service with the utility company.

(b) A manufactured home which has not been replaced but which has had any utility service disconnected thereto may be reconnected to such utility service, provided that:

- (1) A placement permit has been previously issued and finalized for such manufactured home at the site on which it is located; and
- (2) A permit has been obtained for reconnection of any electrical utilities and the building official has found, upon inspection, that the exterior wiring service on the manufactured home is in such condition that it may be safely connected to the electrical utility services. The fee specified in the Building Code for a reconnection fee shall be imposed for the issuance of a permit under this item.

(Ord. No. 85-498, § 1, 4-10-85; Ord. No. 90-635, § 57, 5-23-90; Ord. No. 02-399, § 68, 5-15-02)

#### **Sec. 29-38. Timely application.**

(a) For manufactured homes placed or replaced within manufactured home parks and manufactured home subdivisions, application for a placement permit must be made within 48 hours from the time of placement or replacement. Saturdays, Sundays and holidays observed by closure of city offices are excepted in calculating the said period.

(b) No manufactured home may be placed or replaced upon a site designated in a hardship permit issued pursuant to division 2 of article II of this chapter until and unless application for a placement permit has first been made therefor. Furthermore, application for a placement permit may not be made for any manufactured home to be located pursuant to a hardship permit issued under division 2 of article II of this chapter until and unless such hardship permit has been issued.

(c) No application for a placement permit may be made for any manufactured home which is to be connected to public water or sewer services until application has been made for such services and the availability thereof has been established.

(Ord. No. 85-498, § 1, 4-10-85)

#### **Sec. 29-39. Application.**

(a) Any person desiring a placement permit shall make application therefor upon one or more forms prescribed by the building official setting forth:

- (1) A description of the manufactured home by dimensions, manufacturer and serial or identification number;
- (2) The name and address of the person having title to the manufactured home;
- (3) The date of manufacture of the manufactured home;
- (4) The proposed location of the manufactured home by legal description, plot plan, diagram or other means which is adequate to advise the building official of the exact placement location contemplated and its relationship to the property lines and other structures;
- (5) The number of the hardship permit which has been issued by the city pursuant to division 2 of article II of this chapter if the manufactured home is to be placed outside the confines of a sales lot, manufactured home park or manufactured home subdivision;



- (6) The license number of the manufactured home park operator if the manufactured home is to be placed in a manufactured home park;
- (7) The county clerk's recording information for the plat thereof if the manufactured home is to be placed in a manufactured home subdivision;
- (8) Any information necessary to determine compliance with any applicable provisions of chapter 19 of this Code relating to flood-prone areas;
- (9) The utilities to be provided to the manufactured home and the source and availability thereof;
- (10) Any additional information the building official finds will aid him in the enforcement of this chapter or other laws applicable to the manufactured home.

(b) The application shall be signed by the owner of the manufactured home or his agent, and if the manufactured home is to be located outside a manufactured home park, the owner of the land on which the manufactured home is to be located.

(c) In any instance in which the application is for a permit relating to the placement of a new "HUD-code manufactured home," as that item is defined by Texas Revised Civil Statutes article 5221f, then the building official shall ensure that the application is acted on and the applicant is given written notice of the approval or denial within 45 days of the filing of the application, including notice of the grounds if the application is denied. If the foregoing action is not taken by the forty-fifth day following the filing of the application, then the permit is deemed granted. Notice is considered to be given when placed in the mail addressed to the address as stated on the application.

(Ord. No. 85-498, § 1, 4-10-85; Ord. No. 90-635, § 57, 5-23-90; Ord. No. 94-1268, §§ 7, 8, 11-22-94)

#### **Sec. 29-40. Finalization of placement permits.**

A placement permit shall be finalized by the building official and occupancy of the manufactured home shall be authorized when:

- (1) The applicant has obtained all applicable permits and inspections under this Code and the Construction Code;
- (2) The applicant has complied with all other applicable provisions of this code including, without limitation, chapter 19 relating to flood hazard areas;
- (3) The building official has inspected the placement of the manufactured home and has found its placement is in accordance with this chapter; and
- (4) The building official has found that the manufactured home and its placement, meet all applicable requirements of the city's ordinances and all state laws which may be enforced by the city.

(Ord. No. 85-498, § 1, 4-10-85; Ord. No. 90-635, § 57, 5-23-90; Ord. No. 94-1268, § 8, 11-22-94; Ord. No. 02-399, § 69, 5-15-02)

#### **Sec. 29-41. Placement inspection.**

(a) Each manufactured home placed or replaced within the city shall be inspected by the building official to determine that its placement is in accordance with the provisions of this chapter. A fee for such placement inspection is hereby established and shall be collected in the amount specified in section 29-160. In consideration of such fee the applicant shall be entitled to the original inspection of the placement of the manufactured home and one reinspection for deficiencies, if required. An additional fee, as specified in section 29-160, is hereby imposed and shall be collected for the second and each subsequent reinspection due to deficiencies concerning the manufactured home or its placement.

(b) The purpose of a placement permit under this chapter is to ensure that the manufactured home has been situated in a location that complies with this Code, has been located so that it is in compliance with applicable setbacks and meets other municipal regulations that are enforceable

by the city with respect to the use and occupancy of manufactured homes. No provision of this Code shall be construed to require a city-imposed inspection of the "installation" of the manufactured home as that term is defined by Texas Revised Civil Statutes article 5221f, § (3). The building official may conduct installation inspections on behalf of the state if so authorized by the Texas Department of Licensing and Regulation, but no city permit or fee shall be imposed for that service.

(Ord. No. 85-498, § 1, 4-10-85; Ord. No. 90-635, § 57, 5-23-90; Ord. No. 94-1268, § 10, 11-22-94)

#### **Secs. 29-42, 29-43. Reserved.**

**Editor's note**—Ord. No. 94-1268, § 11, adopted Nov. 22, 1994, repealed former §§ 29-42 and 29-43, which pertained to standards certification and standards adopted.

#### **Secs. 29-44—29-54. Reserved.**

### **DIVISION 4. RECREATIONAL VEHICLES**

#### **Sec. 29-55. Recreational vehicle placement.**

(a) It shall be unlawful for any person to place, use or occupy a recreational vehicle within the city unless such placement, use or occupancy is specifically authorized by this division.

Furthermore, it shall be unlawful for any person to permit, allow or suffer the placement, use or occupancy of a recreational vehicle on any property under his ownership or control unless such placement, use or occupancy is specifically authorized by this chapter.

(b) Any provisions of this chapter which authorize the occupancy of a certain type of recreational vehicle under certain conditions shall not be applicable to any other type of recreational vehicle.

(c) Any computation of time under the provisions of this division shall commence from the date that the recreational vehicle is placed in the manufactured home park or recreational vehicle park.

(d) In addition to any other authorized placement or use of a recreational vehicle, it may be utilized as provided in section 29-18 of this Code upon a site authorized by the director for tempo-

rary disaster assistance organizations in accordance with the rules and regulations issued under that section.

(Ord. No. 85-498, § 1, 4-10-85; Ord. No. 01-990, § 4, 10-31-01)

#### **Sec. 29-56. Recreational vehicles outside parks.**

A recreational vehicle may be parked or stored outside a manufactured home park or recreational vehicle park so long as no one occupies it for temporary or permanent use, no utilities are connected to the recreational vehicle, the vehicle is not parked on or extending over public property unless parked on a street or a parking lot in full compliance with the laws, and the parking or storage of the vehicle is not in violation of any other law or any valid and applicable deed restrictions or covenants running with the land.

(Ord. No. 85-498, § 1, 4-10-85)

#### **Sec. 29-57. Camping trailers.**

(a) A camping trailer may be placed in a recreational vehicle park licensed by the city as such, for a period not to exceed 30 days in any consecutive six-month period and may be used for sleeping and living purposes during the time it is so placed in a park.

(b) No camping trailer may be placed or used for any purpose within a manufactured home park.

(Ord. No. 85-498, § 1, 4-10-85)

#### **Sec. 29-58. Motor homes, truck campers and travel trailers.**

(a) A motor home, a truck camper or a travel trailer may be placed in a manufactured home park or a recreational vehicle park for a period of time not to exceed six months within any consecutive twelve-month period, and may be used for sleeping and living purposes during the time that it is so placed in a park if:

- (1) It is self contained;
- (2) It has at least 120 square feet of floor space;

(3) The park in which it is placed is licensed by the city as a recreational vehicle park or a manufactured home park; and

(4) It is placed on a lot in the park which was shown on the park's application and approved by the building official for use of the specific type of recreational vehicle being placed thereon.

(b) A motor home, a truck camper or a travel trailer which is not self-contained may be placed in a manufactured home park or a recreational vehicle park for a period of time not to exceed 30 days within any consecutive twelve-month period and may be used for sleeping and living purposes during the time it is placed in a park if:

(1) It has a minimum of 84 square feet of floor space;

(2) The park in which it is placed is licensed by the city as a manufactured home park or a recreational vehicle park, and the park meets the requirements of this chapter for a park on which dependent vehicles may be placed; and

(3) It is placed on a lot in the park which was shown on the park's application and approved by the building official for use of the specific type of recreational vehicle being placed thereon.

(c) A travel trailer may be placed in a manufactured home park or a recreational vehicle park, and may be used for sleeping and living purposes while it is placed in such a park, without limitation as to the period of time it is so located and used if:

(1) It is placed in a park which is licensed by the city as a recreational vehicle park or a manufactured home park;

(2) It is placed on a lot in the park which is shown on the park's application and approved by the building official for use by travel trailers connected to the park's utilities;

(3) It is connected to the park's (or to a public) water supply, sewer system and

electric system, and to such a gas system if the travel trailer is designed for natural gas and has any gas appliances;

(4) The travel trailer has facilities to supply a reasonably continuous source of hot water to the lavatory, tub or shower and kitchen sink at a temperature of not less than 120 degrees Fahrenheit;

(5) It has a heating system which is in good state of repair of a type which will not create a serious risk to the safety of the occupants, and which is capable of providing the trailer with a minimum temperature of at least 70 degrees Fahrenheit measured at a point three feet above the floor during ordinary minimum weather conditions;

(6) It has at least 120 square feet of floor space for the first occupant and at least 30 square feet for each additional occupant;

(7) It is tied down and blocked pursuant to the requirements of this chapter;

(8) Application has been made for a certificate of compliance pursuant to this division; and

(9) The travel trailer is not occupied for sleeping or living purposes until it has been inspected by the city; the inspector has found that the travel trailer is in compliance with all requirements of this chapter for the use of travel trailers as permanent living quarters, and the certificate of compliance has been finalized by the building official.

(d) No person may use any truck camper for sleeping or living purposes if it has been dismounted from the truck unless the camper is tied down and anchored pursuant to the requirements of this chapter.

(Ord. No. 85-498, § 1, 4-10-85; Ord. No. 90-635, § 57, 5-23-90)

#### **Sec. 29-59. Responsibility of park owners and managers.**

No manufactured home park or recreational vehicle park or owner or manager of such a park

shall allow, suffer or permit one or more persons to use a recreational vehicle in such park in violation of any provisions of this chapter. (Ord. No. 85-498, § 1, 4-10-85)

**Sec. 29-60. Recreational vehicle tie-down and foundation blocking standards.**

Whenever the provisions of this chapter provide that a recreational vehicle is to be tied down, the building official must approve the method to be applied to the specific vehicle. The building official shall approve such a method if he finds that it will adequately protect those who use the recreational vehicle and members of the public, taking into consideration the size and shape of the vehicle. All materials used to anchor recreational vehicles approved for permanent occupancy shall comply with all requirements of anchoring for manufactured homes as established by the Texas Department of Licensing and Regulation.

(Ord. No. 85-498, § 1, 4-10-85; Ord. No. 90-635, § 57, 5-23-90; Ord. No. 94-1268, § 6, 11-22-94)

**Sec. 29-61. Certificate of compliance.**

(a) Whenever a certificate of compliance is required for use of a recreational vehicle in a manufactured home park or recreational vehicle park, such certificate of compliance shall be issued upon the procedures established in this section.

(b) Any person desiring a certificate of compliance shall make application therefor upon a form prescribed by the building official setting forth:

- (1) A description of the recreational vehicle by dimensions, manufacturer and serial or vehicle identification number;
- (2) A copy of the title to the recreational vehicle (if the formal document of title has not yet been issued, then the title application receipt and a complete copy of the bill of sale shall be furnished in lieu thereof).
- (3) The date of manufacture of the recreational vehicle;

- (4) The name of the manufactured home park or recreational vehicle park in which it is located, and the park's license number;
- (5) A description of the proposed location of the recreational vehicle in the manufactured home park or recreational vehicle park which is adequate to advise the building official of the exact place on the ground where the recreational vehicle will be located; and
- (6) Any additional information which the building official finds will aid him in the enforcement of the provisions of this chapter in regard to such recreational vehicle.

The application shall be signed by the owner of the recreational vehicle or the owner's agent. Application for such a certificate of compliance shall be made within 48 hours from the time the recreational vehicle is placed in the manufactured home park or recreational vehicle park. Saturdays, Sundays, and holidays observed by closure of city offices are excepted from calculating the 48 hours.

(c) The building official shall not finalize a certificate of compliance for use of a recreational vehicle in a manufactured home park or recreational vehicle park until the recreational vehicle has been inspected by the building official and the building official has found that the recreational vehicle and its placement meet the requirements of this division and of all applicable ordinances for its use as permanent living quarters. A fee for such inspection is hereby established and shall be collected in the amount set out in section 29-160. In consideration of such fee the applicant shall be entitled to the original inspection and one reinspection for deficiencies, if required. An additional fee is hereby imposed and shall be collected for the second and each subsequent reinspection required due to deficiencies concerning the recreational vehicle, its placement, or its tie-downs. (Ord. No. 85-498, § 1, 4-10-85; Ord. No. 90-635, § 57, 5-23-90)

**Secs. 29-62—29-69. Reserved.**